

PATENT
S.N. 09/927,670
7485/65582

REMARKS

Applicant thanks the Examiner for the telephone interview on October 12, 2004. The claims have been amended pursuant to that interview.

Claims 1-8, 10-15 and 18 are presented. Claims 1 and 18 are independent.

Claims 1-8, 10-14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson 4,619,386 in view of Fisherman 5,176,438. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson 4,619,386 in view of Fisherman 5,176,438 in view of Menaged 5,025,353.

The rejections are respectfully traversed.

In accordance with the claims as amended, apparatus constructed in accordance with the invention includes a base formed with upper and lower sides. The lower side of the base has a lower surface that is substantially flat such that the apparatus when placed on a reading stand or table is stably supported. This is evident from the drawings, including Fig. 3, and the disclosure beginning towards the bottom of page 6 of the specification.

The amended claims avoid the statement in the Office Action towards the bottom of page 2 that "Richardson discloses all of the limitations of the claimed invention except for the retractable light." The Richardson apparatus includes structure including items 80, 82, 84, 86, 90, 94, 96, 98, 100, 102 (Fig. 4), as discussed during the telephone interview. The lower side of Richardson's base thus has a lower surface that has a highly irregular shape. The Richardson apparatus when placed on a reading stand or table would be quite unstable. The Richardson structure is designed for attachment to a dashboard 12. The items 98, 102, etc., would scratch the surface of a reading stand or table if placed on either, and would cause the apparatus to rock if a

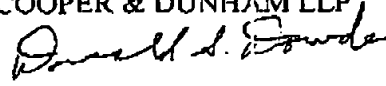
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user pressed down on the top of the apparatus. It would not be obvious to omit the items 80, 82, 84, 86, 90, 94, 96, 98, 100, 102, etc., from the lower surface of Richardson's base, because Richardson's apparatus needs those items to accomplish Richardson's purpose of attachment to a dashboard.

The Richardson patent thus does not disclose or suggest the invention as defined in the amended claims.

The Fisherman patent is cited for a disclosure of a light that can be retracted and extended, and the Managed patent is cited for a disclosure of spring-loaded tabs. These secondary references do not address the deficiency of the Richardson patent as a disclosure or suggestion of the invention as defined in the amended claims.

For the reasons stated, allowance of the application is respectfully requested.

Respectfully submitted,
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